



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
Washington, D.C. 20230

OFFICE OF THE GENERAL COUNSEL

Justin Bloom  
Staff Attorney  
Riverkeeper, Inc.  
25 Wing & Wing  
Garrison, NY 10524

DEC 4 2002

Dear Mr. Bloom:

This responds to your letter dated November 26, 2002, requesting an extension of the deadline for public comment in the Consistency Appeal of Millennium Pipeline Company, L.P. In particular, you note your organization's ongoing efforts to investigate alternative pipeline routes, including those discussed by the State of New York in its brief submitted on October 16, 2002. Your request is similar to others received by the National Oceanic and Atmospheric Administration from the public seeking additional time in order to ensure an adequate opportunity for comment.

The record for the Millennium appeal contains extensive information and raises important issues that warrant thorough consideration. An extension of the public comment period on this basis appears reasonable and would not unduly delay the appeals process. Therefore, the deadline for receiving comments from the public, including Riverkeeper, has been extended through January 8, 2003. A notice announcing the reopening of the public comment period, as published in today's Federal Register, is enclosed.

Sincerely,

James R. Walpole  
General Counsel

Enclosure



**II. Method of Collection**

State governors and Indian treaty tribes submit written nominations to the Secretary of Commerce, together with recommendations and statements of candidate qualifications. Designations of state officials and requests for reinstatement of state authority are also made in writing in response to regulations. No forms are used.

**III. Data**

OMB Number: 0648-0914.

Form Number: None.

Type of Review: Regular submission.

Affected Public: State, Local, or Tribal government.

Estimated Number of Respondents: 54.

Estimated Time Per Response: 1 hour to designate a principal state fishery official(s); 80 hours for a nomination for a Council appointment; 16 hours for background documentation from nominees; and 2 hours for a request to reinstate state authority.

Estimated Total Annual Burden Hours: 4,543.

Estimated Total Annual Cost to Public: \$3,052.

**IV. Request for Comments**

Comments are invited on: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: November 27, 2002.

Gwellaar Banks,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. 02-30753 Filed 12-3-02; 8:45 am]

BILLING CODE 3510-22-6

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****Federal Consistency Appeal by Millennium Pipeline Company From an Objection by the New York Department of State**

AGENCY: National Oceanic and Atmospheric Administration (NOAA) Department of Commerce (Commerce).

ACTION: Reopening public comment period.

**SUMMARY:** This notice reopens the period for the public to comment on the administrative appeal filed with the Department of Commerce by the Millennium Pipeline Company (Consistency Appeal of Millennium Pipeline Company, L.P.).

**DATES:** Public comments on the appeal must be received by January 8, 2003.

**ADDRESSES:** Comments may be sent by mail to the Office of the General Counsel for Ocean Services, National Oceanic and Atmospheric Administration, U.S. Department of Commerce, 1305 East-West Highway, Silver Spring, MD 20910. Materials from the appeal record will be available at the Internet site <http://www.ogc.doc.gov/czma.htm> and at the Office of the General Counsel for Ocean Services.

**FOR ADDITIONAL INFORMATION CONTACT:** Brandon Blum, Senior Counselor, Office of the General Counsel for Ocean Services, via e-mail at [gc.os.inquiries@noaa.gov](mailto:gc.os.inquiries@noaa.gov), or at (301) 713-2967, extension 186.

**SUPPLEMENTARY INFORMATION:** The Millennium Pipeline Company filed an administrative appeal with the Department of Commerce, pursuant to the Coastal Zone Management Act of 1972, as amended, asking that the Secretary of Commerce override the State of New York's objection to Millennium's proposed natural gas pipeline. The pipeline would extend from the Canadian border in Lake Erie and cross the Hudson River, affecting the natural resources or land and water uses of New York's coastal zone.

On September 9, 2002, NOAA published a notice in the Federal Register inviting the public to comment on any of the issues that the Secretary may consider in deciding the appeal. The deadline for submitting comments was December 2, 2002.

NOAA has been requested to provide additional time to allow for adequate comment on the issues raised within the appeal. The State of New York submitted its brief and supporting materials on October 18, 2002;

additional materials and briefs were submitted by three amici on October 23, 2002. In response to the public requests, and in recognition of the complex issues and information reflected in these and other filings, NOAA is reopening the public comment period and will accept comments through January 8, 2003. Comments received after the end of the initial comment period on December 2, 2002, but before publication of this notice will be considered to be timely filed.

Written comments may be submitted by e-mail to [millennium.comments@noaa.gov](mailto:millennium.comments@noaa.gov) or forwarded via mail to the Office of the General Counsel for Ocean Services. Comments must be received by January 8, 2003. Comments will be made available to the parties; they are also expected to be posted on the Department of Commerce Web site at <http://www.ogc.doc.gov/czma.htm>.

(Federal Domestic Assistance Catalog No. 11.419 Coastal Zone Management Program Assistance.)

Dated: November 26, 2002.

James R. Walpole,  
General Counsel.

[FR Doc. 02-30743 Filed 12-03-02; 8:45 am]  
BILLING CODE 3510-06-M

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration**

[D. 112702A]

**Marine Mammals; File No. 473-1433**

AGENCY: National Marine Fisheries Service (NOAA Fisheries), National Oceanic and Atmospheric Administration (NOAA), Commerce.  
ACTION: Issuance of permit amendment.

**SUMMARY:** Notice is hereby given that Janice Straley, Assistant Professor of Marine Biology, University of Southeast Alaska, 1332 Seward Avenue, Sitka, Alaska 99835-0498, has been issued an amendment to scientific research Permit No. 473-1433-02.

**ADDRESSES:** The amendment and related documents are available for review upon written request or by appointment in the following office(s):

Permits, Conservation and Education Division, Office of Protected Resources, NOAA Fisheries, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)713-2289; fax (301)713-0376; and  
Alaska Region, NOAA Fisheries, P.O. Box 21668, Juneau, AK 99802-1868; phone (907)586-7221; fax (907)586-7248.